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5 UNITED STATES DISTRICT COURT  
6 DISTRICT OF NEVADA

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 vs.

10 MICHAEL PATRICK HANNA,

11 Defendant.  
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Case No. 2:13-cr-00208-JAD-CWH

**ORDER**

13 Presently before the court is the government's Motion to Strike Defendant Hanna's Notice  
14 of Assertion of Right to be Present in Court Unshackled (ECF No. 63), filed on July 19, 2017.  
15 Defendant did not file a response.

16 The court held a hearing regarding the revocation of Defendant's supervised release and  
17 imposed a sentence on August 28, 2017. (Mins. of Proceedings (ECF No. 70)). Given that the  
18 "right to be free from unwarranted restraints" applies in the pretrial, trial, and sentencing phases of  
19 a case, and that Defendant has already been sentenced, the court will deny the government's motion  
20 as moot. *United States v. Sanchez-Gomez*, 859 F.3d 649, 660-61 (9th Cir. 2017).

21 IT IS THEREFORE ORDERED that the government's Motion to Strike Defendant  
22 Hannah's Notice of Assertion of Right to be Present in Court Unshackled (ECF No. 63) is  
23 DENIED as moot.

24 DATED: December 5, 2017

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27 C.W. Hoffman, Jr.  
28 United States Magistrate Judge